

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

UNITED STATES OF AMERICA

v.

JESUS ANTONIA MEDINA

§  
§  
§  
§  
§

CRIMINAL ACTION NO. 4:24-CR-13-  
ALM-KPJ-1

**REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

Now before the court is the request for revocation of Defendant Jesus Antonia Medina's ("Defendant") supervised release. After the District Judge referred the matter to this court for a report and recommendation, the court conducted a hearing on July 24, 2024, to determine whether Defendant violated his supervised release. Defendant was represented by Douglas Schopmeyer of the Federal Public Defender's Office. The Government was represented by G.R. Jackson.

Defendant was sentenced on August 1, 2022, before The Honorable Sam A. Lindsey, of the Northern District of Texas after pleading guilty to the offense of Possession of a Firearm by a Convicted Felon, a Class C felony. This offense carried a statutory maximum imprisonment term of 10 years. The guideline imprisonment range, based on a total offense level of 12 and a criminal history category of V, was 27 to 33 months. He was subsequently sentenced to 33 months imprisonment followed by a three-year term of supervised release. Said term of supervision is subject to the mandatory and standard conditions of release, plus special conditions to include substance abuse testing and treatment, alcohol abstinence, and a \$100 special assessment. On April 10, 2023, Defendant completed his period of imprisonment and began service of the supervision term in the Northern District of Texas, Dallas Division. On May 15, 2023, supervision was transferred to the Eastern District of Texas, Plano Office. Jurisdiction of this case was transferred

on January 17, 2024, and the case was reassigned to The Honorable Amos L. Mazzant, III, U.S. District Judge for the Eastern District of Texas.

On February 7, 2024, the United States Probation Officer executed a Petition for Warrant or Summons for Offender Under Supervision. (Dkt. #2, Sealed). The Petition asserts that Defendant violated two conditions of supervision, as follows: (1) (mandatory) Defendant must refrain from any unlawful use of a controlled substance; and (2) (special) Defendant shall participate in an outpatient program approved by the probation officer for treatment of narcotic, drug, or alcohol dependency that will include testing for the detection of substance use, abstaining from the use of alcohol and all other intoxicants during and after the completion of treatment, and contributing to the costs of services rendered (copayment) at a rate of at least \$25 per month. (Dkt. #2 at pp. 1–2, Sealed).

The Petition alleges that Defendant committed the following acts: (1) As part of the random drug testing program, Defendant submitted urine specimens at the U.S. Probation Office in Plano, Texas on October 5, October 27, November 7, November 29, December 7, 2023, and January 4, 2024, which tested positive for marijuana. The results were confirmed by Alere Toxicology Services, Inc, and the first five samples were analyzed further by the lab. Per the interpretation report, Defendant used a substance containing THC prior to submitting each sample; and (2) Defendant failed to submit a random urine specimen at the U.S. Probation Office in Plano, Texas on December 20, 2023, as instructed. On December 26, 2023, during a home visit, Defendant was questioned about why he failed to report and submit the urine specimen as instructed. Defendant stated that he simply forgot about it. (Dkt. #2 at pp. 1–2, Sealed).

Prior to the Government putting on its case at the final revocation hearing, Defendant entered a plea of true to allegations (1) and (2) of the Petition.

Having considered the Petition and the plea of true to allegations (1) and (2), the court finds that Defendant did violate his conditions of supervised release. Defendant waived his right to allocute before the District Judge and his right to object to the report and recommendation of this court.

**RECOMMENDATION**

Pursuant to the Sentencing Reform Act of 1984, the court recommends that Defendant's supervised release be revoked and that he be committed to the custody of the Bureau of Prisons to be imprisoned for an additional term of seven (7) months with 24 months of supervised release to follow. All prior conditions imposed in the original judgment are reimposed here.

The court finally recommends that Defendant be housed in the Bureau of Prisons facility in the Three Rivers, Texas area, if appropriate.

**SIGNED this 1st day of October, 2024.**

  
AILEEN GOLDMAN DURRETT  
UNITED STATES MAGISTRATE JUDGE